

Courtroom: 3070
Courtroom Deputy: Millie McGowan
Court Recorder: Jackie Jarvis
Law Clerk: Madelyn Choi
Law Clerk: Jane Bohrer

1.
WU vs. BROOKS & RAUB, et al
ADV NO. 04-5243
COM 21, INC.
03-54533-MM (7)

Telephonic Case Management Conference
Complaint for Legal Malpractice, to
Forfeit/Recoup Compensation & Retainer
Pl - CARO WU, Trustee

**Cont to 11/30/04 at 10:30 a.m.
per order of 10/12/04**

Atty for Pl - ROBERT WHITE
(415) 788-6151

Def:
BROOKS & RAUB, a California
Professional Corp.
DAVID S. CAPLAN
L. DONALD RAUB, JR.
LINCOLN A BROOKS
PENN AYERS BUTLER
LAW OFFICES OF DAVID M. SEREPCA, P.C.
DAVID M. SEREPCA

2.
KING vs. HOLCOMB
ADV. NO. 03-5696
PETTY LEE HOLCOMB
03-55960-MM (7)

(fr 4/6, 6/22)
Telephonic Case Management Conference
Complaint to Determine Dischargeability
and Deny Discharge
Pl - KING, KING, & KING

Atty for Pl - MORGAN KING
(925) 469-9155

Atty for Def - JOSEPH BIASELLA
(408) 723-7300

Def: PEGGY LEE HOLCOMB
answer filed 1/22/04
(holding date)

3.

WU vs. DALY
ADV. NO. 03-5049
DELI CART DISTRIBUTING
02-51240-MM (7)

(fr 4/22,6/10,10/28,2/10,4/27,6/22)
Telephonic Case Management Conference
Complaint to Avoid and Recover
Preferences and Fraudulent Transfers
To Partners of the Debtor and to
Recover Deficiencies of Property of the
Estate to Pay all Claims
Pl - CAROL WU

Atty for Pl - SERENE KHAIRA
(510) 835-8359

Atty for Def - RALPH GUENTHER
(831) 649-5100
Def: JAMES DALY, ans fld 3/7/03
Def: JAMES DALY and
BERNARD CRUZ

4.

NEWTON vs. SUYDAM et al
ADV. NO. 04-5212
GARY NEWTON
04-53451-MM (11)

Telephonic Case Management Conference
Notice of Removal
(Complaint for Declaratory Judgment
Pl - GARY NEWTON

Atty for Pl - THOMAS SPIELBAUER
(Withdrawn as counsel 9/10/04)

Atty for Def - SEAN RAFT
(408) 371-1025
Def: WILLIAM PRIEST
answer filed 8/24/04

Atty for Def - WILLIAM PRIEST
(408) 279-3450
Def: MARY JOANNE SUYDAM
answer filed 8/24/04

Def's: MARY JOANNE SUYDAM,
WILLIAM PRIEST

5.
SPLEES vs. AMES, et al
ADV. NO. 04-5225
DAVID JASON AMES
97-58642-MM (7)

Telephonic Case Management Conference
First Amended Complaint to Determine
Nondischargeability
Pl - VIOLET E. SPLEES and CHARLES M.
SPLEES

Atty for Pl - JOSEPH THOMPSON
(408) 848-5506

Atty for Def - NANCY BATTEL
(408) 297-5400

Def':
DAVID JASON AMES, aka DAVE AMES,
dba AMERIWEST FINANCIAL SERVICES,
dba CENTURY 21 DYNASTY
dba AMES CONSTRUCTION
dba DJA CORPORATION
answer filed 9/17/04

6.
KANG vs. INTERNAL REVENUE SERVICE
ADV. NO. 04-5096
JE WON KANG & MI JA KANG
03-58102-MM (7)

(fr 8/3)
Telephonic Case Management Conference
Complaint for Determination of
Dischargeability of Income Taxes
Pl - JE WON KANG aka JE W. KANG aka JAY
KANG and MI JA KANG aka MI J. LEE

Atty for Pl - PATRICK BOWLES
(831) 372-0791

Def: INTERNAL REVENUE SERVICE

7.
WU vs. TRAN, ET AL
ADV. NO. 04-5222
QUYEN TRAN
03-53190-MM (7)

Telephonic Case Management Conference
a) Second Amended Complaint for (1)
Declaratory Relief; (2) Injunctive
Relief; (3) Avoidance of Unauthorized
Post-Petition Transfer; (4)
Determination of Liability for Avoided
Transfer; (5) Turnover of Property of
the Estate; (6) Imposition of
Constructive Trust; (7) Accounting; (8)
Fraud; (9) Conspiracy to Commit Fraud;
(10) Intentional Misrepresentation;
(11) Negligent Misrepresentation; (12)
Disgorgement; (13) Avoidance of
Unauthorized Post-Petition Transfer;
(14) Determination of Liability for
Avoided Transfer; (15) Conversion
Pl - CAROL WU, Trustee in Bankruptcy

Atty for Pl - MARIAM MARSHALL
(510) 835-8359

Atty for Def's - STANLEY ZLOTOFF
(408) 287-1313

Def's: QUYEN TRAN and MICHAEL A. LE

Atty for Def - KENNETH STRONGMAN
(925) 277-3580

Def: MINH TAM L. PHAM
answer filed 8/25/04

Atty for Def: FRANKLIN THOMAS
(415) 981-2623

Def: BANK OF AMERICA N.A.
ans to second amended complaint fld
9/29/04

WU vs. TRAN, ET AL
ADV. NO. 04-5222
continued...

WU vs. TRAN, ET AL
ADV. NO. 04-5222
continued...

Entry of Default 9/1/04

Def's:
QUYEN TRAN
MICHAEL LE
BANK OF AMERICA CORP.
MINH TAM L. PHAM
ALAN A. TRAN
ALPHA FACTORS, a California Corporation
dba CENTURY 21 ALPHA

PHAM vs. TRAN, ET AL

b) Cross-Complaint of Minh Tam L. Pham
Atty for Cross-Complainant -
KENNETH STRONGHAM

Atty for Def - DEOK KIM
Def's MICHAEL LE and QUYEN TRAN
answer to cross-complaint fld 9/23/04

Atty for Def: FRANKLIN THOMAS
(415) 981-2623
Def: BANK OF AMERICA N.A.
ans to cross-complaint fld 9/29/04

8.
EASTMAN vs. MENDOZA
ADV. NO. 03-5233
FLORENCIO LARRY MENDOZA
03-51392-MM (7)

(fr 9/9, 4/27, 8/31)
Telephonic Case Management Conference
Complaint for Determination that Debt
is Excepted from Discharge and for
Denial of Discharge (11 U.S.C. Section
523(a)(4); 523(a)(6)) (11 U.S.C.
Section 727(a)(2)(B), (c)(1)
Pl - VIC EASTMAN, MANNY GUTH, GARY
HINMAN, VINCE SINNI

Atty for Pl - TERENCE KANE
(408) 925-0145

Def: FLORENCIO LARRY MENDOZA, PRO PER
(707) 937-2898
answer filed 7/29/03
(Holding date)

9.

POONJA vs. MENDOZA
ADV. NO. 03-5232
FLORENCIO LARRY MENDOZA
03-51392-MM (7)

(fr 9/9, 4/27, 8/31)
Telephonic Case Management Conference
Complaint for Avoidance and Recovery of
Fraudulent Transfers
Pl - MOHAMED POONJA

Atty for Pl - TERENCE KANE
(408) 925-0145

Atty for Def - GREG ERIKSEN
(714) 974-9100

Def: LAUREE STANGEL
answer filed 7/1/03

Def: FLORENCIO LARRY MENDOZA, PRO PER
(707) 937-2898
answer filed 8/6/03
(Holding date)

10.

MARTINEZ vs. MARTINEZ
ADV. NO. 03-5529
EDUARDO MANUEL MARTINEZ
03-54235-MM (7)

(fr 1/6, 4/6, 6/8, 8/3)
Telephonic Case Management Conference
Complaint to Determine Dischargeability
Of Certain Debts and Objection to
Discharge
Pl - ELENA MARTINEZ

Atty for Pl - ELENA MARTINEZ, PRO PER
(510) 472-7944

Atty for Def - HENRY NILES
(831) 457-4555

Def: EDUARDO MANUEL MARTINEZ
answer filed 12/23/03

11.

DECKER vs. JASMIN
ADV. NO. 02-5446
AUDIOHIGHWAY.COM
01-50102-MM (7)

(fr 3/11,10/28,10/28, 1/6, 2/10,4/6,
5/11, 6/22, 8/3)
Telephonic Case Management Conference
Complaint to Avoid and Recover
Preferential Transfers and Fraudulent
Conveyances
Pl - SUZANNE L. DECKER, Trustee

Atty for Pl - ALBERT FLOR
(510) 834-6600

Atty for Def - WENDY SMITH
(408) 295-1700

Def: GRANT JASMIN
answer filed 12/26/02
(Settlement will be noticed to all
creditors)

12.

NICOSIA vs. NICOSIA
ADV. NO. 03-5554
THOMAS NICOSIA
03-54443-MM (7)

(fr 3/9, 5/11, 6/22, 8/3)
Telephonic Case Management Conference
Complaint to Determine Dischargeability
of Debt and, Alternatively, to Deny
Discharge of Debtors
Pl - DANIEL J. NICOSIA

Atty for Pl - BRIAN KANDEL
(831) 427-5132

Atty for Def - JON HARWARD
(408) 371-8910

Def: THOMAS NICOSIA aka TOM NICOSIA aka
TOMMY NICOSIA; and CONNI KATHLEEN
NICOSIA aka CONNI NICOSIA
answer filed 10/13/04

13.
MCKEE vs. GERSTL
ADV. NO. 03-5701
MICHAEL MCKEE
02-51443-MM-OR (13)

(fr 5/21, 6/11, 6/18, 8/3)
Telephonic Case Management Conference
**Hearing to Determine Appropriate
Amount of Damages**

- a) Amended Motion for Summary Adjudication
of Issues on Complaint for Damages for
Violation of Automatic Stay and to Void
Judgment and to Determine Extent,
Priority, and Validity of Lien
by MICHAEL MCKEE, Debtor/Plaintiff

Atty for Pl - RICHARD MCLAUGHLIN
(831) 757-7676

POS fld.

- b) Opposition by HUGO GERSTL, Defendant
Atty for Debtor - HUGO GERSTL
(831) 649-0669

14.
DECKER vs. GARCIA
ADV. NO. 04-5027
LAURENCE & DOLORES GARCIA
03-55621-MM (7)

(fr 5/11, 8/31)
Telephonic Case Management Conference
Complaint to Avoid and Recover
Fraudulent Transfer
Pl - SUZANNE L. DECKER

Atty for Pl - TRACY GREEN
(510) 834-6600

Atty for Def - VAUGHN TAUS
(805) 542-0155

Def: LAURENCE GARCIA
answer filed 3/17/04

15.

DECKER vs. SHIRLEY
ADV. NO. 98-5193
ABC AUTO EXCHANGE, INC.
96-54289-MM (7)

(fr 9/8,11/30,2/8,8/29,12/12,3/13,
9/11/01,11/6,3/12,8/13/02, 11/12, 8/12,
2/10, 8/31)

Telephonic Case Management Conference
Complaint to Avoid and Recover
Avoidable Transfers, Postpetition
Transfers, Conversion, Breach of
Fiduciary Duty, and Alter Ego
Pl - SUZANNE L. DECKER

Atty for Pl - RICHARD KUTCHE
(408) 295-0474

Atty for Def - PATRICIA MAHAN
(408) 287-1055

Def's - FRED SHIRLEY, CHERYL SHIRLEY
answer filed 7/20/98

Atty for Def - PRO PER

Def's - FERNANDO BETTENCOURT, and WORLD
WIDE TRUCK SALES & LEASING, INC.
answer filed 7/17/98

Def's: FRED SHIRLEY; CHERYL SHIRLEY;
FERNANDO BETTENCOURT
WORLD WIDE TRUCK SALES & LEASING, INC.
d/b/a FLEET CAR SALES ans filed 7/19/99

16.

FIRST NATIONAL BANK vs. CARSON
ADV. NO. 04-5132
RONALD S. CARSON
03-57581-MM (7)

(fr 8/31)
Telephonic Case Management Conference
Complaint to Except Debt from Discharge
Complaint
Pl - FIRST NATIONAL BANK OF CENTRAL
CALIFORNIA

Atty for Pl - ROBERT HERENDEEN
(831) 758-8282

Atty for Def - DANIEL O'ROURKE
(831) 655-3390

Def: RONALD S. CARSON
answer filed 5/26/04

17.

POWELSON vs. WU
ADV. NO. 04-5154
UNITED STATES VOTING MACHINES
03-56975-MM (7)

(fr 8/31)
Telephonic Case Management Conference
Complaint to Determine Ownership of
Property, to Determine Liens on
Property, and to Enforce Liens
Pl - JUDITH POWELSON

Atty for Pl - RICHARD SEIM
(408) 279-4435

Atty for Def - SERENE KHAIRA
(510) 835-8359

Def: CAROL WU as trustee of the estate
of United States Voting Machines, Inc.,
and Does 1 thru 5
answer filed 8/10/04
(Holding date)

18.

NOROUZI vs. BEHESHTI
ADV. NO. 04-5152
FAZLOLLAH & JESSICA BEHESHTI
04-51242-MM (11)

(fr 8/31)
Telephonic Case Management Conference
Notice of Removal
(Complaint to Foreclose on Deed of
Trust and for Attorney's Fees and
Misrepresentation and Fraud)
Pl - REZA NOROUZI

Atty for Pl - FERNANDO HERNANDEZ
(408) 280-5800

Atty for Def - RICHARD HILOVSKY
(408) 249-3600

Def's FAZLOLLAH BEHESHTI and
JESSICA BEHESHTI

Atty for Def - ROGER WINTLE
(408) 925-0146

Def: HAMID ABTAHI

Def's: FAZLOLLAH K. BEHESHTI,
JESSICA BEHESHTI
COMMONWEALTH TITLE CO.
HAMID ABTAHI

19.

DECKER vs. HOLT
ADV. NO. 03-5103
CYBERIQ SYSTEMS, INC.
01-51100-MM (7)

(fr 6/24, 9/9, 11/25, 3/9, 8/10, 8/31)
Telephonic Case Management Conference
Complaint to Avoid and Recover
Preferential Transfers
Pl - SUZANNE L. DECKER

Atty for Pl - ALBERT FLOR
(510) 834-6600

Atty for Def - PATRICK JORDAN
(415) 459-9865

Co-Counsel - RICHARD ROGAN
(415) 398-8080

Def: SCOTT HOLT
answer filed 8/8/03

20.

DECKER vs. WANG
ADV. NO. 03-5097
CYBERIQ SYSTEMS, INC.
01-51100-MM (7)

(fr 6/24, 9/30, 11/25, 3/9, 8/10, 8/31)
Telephonic Case Management Conference
Complaint to Avoid and Recover
Preferential Transfers
Pl - SUZANNE L. DECKER

Atty for Pl - ALBERT FLOR
(510) 834-6600

Atty for Def - DANIEL CROLEY
(415) 459-9865

Co-Counsel - RICHARD ROGAN
(415) 398-8080

Def: BEE CHEW WANG
answer filed 8/8/03

21.

DECKER vs. PHAM
ADV. NO. 03-5098
CYBERIQ SYSTEMS, INC.
01-51100-MM (7)

(fr 6/24, 9/9, 11/25, 3/9, 8/10, 8/31)
Telephonic Case Management Conference
Complaint to Avoid and Recover
Preferential Transfers
Pl - SUZANNE L. DECKER

Atty for Pl - ALBERT FLOR
(510) 834-6600

Atty for Def - PATRICK JORDAN
(415) 459-9865

Co-Counsel - RICHARD ROGAN
(415) 398-8080

Def: DUC PHAM
answer filed 8/8/03

22.

DECKER vs. BONAHER
ADV. NO. 03-5105
CYBERIQ SYSTEMS, INC.
01-51100-MM (7)

(fr 9/9, 11/25, 3/9, 8/10, 8/31)
Telephonic Case Management Conference
Complaint to Avoid and Recover
Preferential Transfers
Pl - SUZANNE L. DECKER

Atty for Pl - ALBERT FLOR
(510) 834-6600

Atty for Def - PATRICK JORDAN
(415) 459-9865

Co-Counsel - RICHARD ROGAN
(415) 398-8080

Def: DAVID BONAHER
answer filed 8/8/03

23.

COLONIAL AMERICAN CASUALTY vs. RAMIREZ

ADV. NO. 02-5317

SILVIA LORRAINE RAMIREZ

02-52704-MM (7)

(fr 12/10, 3/11, 6/10, 10/28, 3/9, 8/31)
Telephonic Case Management Conference
Complaint to Determine Dischargeability
of Debt (11 U.S.C. §523(a)(4));
Objection to Discharge of Debtor (11
U.S.C. §727(a)(1); Objection to
Discharge of Debtor (11 U.S.C.
§727(a)(1))

Pl - COLONIAL AMERICAN CASUALTY AND
SURETY CO. and FIDELITY AND DEPOSIT
COMPANY OF MARYLAND, a Maryland corp.

Atty for Pl - DAVID LYNCH
(310) 552-0130

Atty for Def - ELAINE SEID
(408) 293-1900

Def: SILVIA LORRAINE RAMIREZ
answer filed 9/23/02

Def's: SILVIA LORRAINE RAMIREZ,
ZERIMAR, INC., DOES 1 through 100

24.

WACHOVIA vs. GORTON-BOUCHARD
ADV. NO. 03-5492
CYNTHIA GORTON-BOUCHARD
03-53624-MM (7)

(fr 11/25, 3/9, 6/22, 8/3, 9/14)
Telephonic Case Management Conference
Complaint to Determine Dischargeability
of Debt
Pl - WACHOVIA SMALL BUSINESS CAPITAL,
as Successor-In-Interest to The Money
Store Investment Corporation

OFF CALENDAR PER ORDER OF 10/12/04

Atty for Pl - DAVID WISEBLOOD

Atty for Def - CATHLEEN COOPER MORAN
Def: CYNTHIA GORTON-BOUCHARD, dba
GORTON-BOUCHARD COMPANY, INC., dba
VAN KAMPEN FRAMING GALLERY
answer filed 10/8/03
Closed 10/14/04

25.

ENOVATION GRAPHIC vs. LARWOOD, ET AL
ADV. NO. 04-5229
EKO REPRODUCTIONS, INC.
04-50747-MM (7)

(fr 9/14)
Telephonic Case Management Conference
Complaint for Declaratory Relief
Pl - ENOVATION GRAPHIC SYSTEMS

Atty for Pl - MAURICE WAINER
(310) 550-5770

Atty for Def - WAYNE THOMAS
(650) 327-4200

Def: MARK S. LARWOOD, JR.
answer filed 8/24/04

Def's:
MARK S. LARWOOD, JR.
CAROL WU in her representative capacity
only as Trustee for EKO Reproductions,
Inc.

26.

SONICBLUE INC.

03-51775-MM - 51778-MM

RS 030812

(fr 6/2, 8/27, 9/24)

- a) Renewed Motion for Relief from Stay to Exercise its Contractual Right to Terminate License Agreement with the Debtor in Accordance with its Terms by INTEL CORPORATION

Atty for Movant - DESMOND CUSSEN &
STEVE JOHNSON (415) 393-8200

Atty for Debtor - THOMAS LORAN III
(415) 983-1865

COS fld.

- b) Renewed Opposition by Debtor

(fr 9/24)

- c) Motion to Compel Further Responses to Subpoenas Duces Tecum by Debtor

Special Litigation Counsel to Debtor -
SUZZANNE UHLAND & DAVID EBERHART
(949) 823-6971 (415) 984-8700

- d) Opposition by VIA TECHNOLOGIES, INC.
Atty for Creditor - COLLEEN BAL
(650) 493-9300

Atty for VIA - HENRY KEVANE
(415) 263-7000

Debtor's Partial Withdrawal as to Intel Only, of Motion to Compel Further Responses to Subpoenas Duces Tecum

Atty for Senior Bondholders -
JOSHUA MORSE
(213) 694-1200

Atty for Committee - DAVID LEVENE
(310) 229-1234

27.

DISCOVER BANK vs. GARCIA
ADV. NO. 04-5234
CHRISTINA GARCIA
04-52267-MM (7)

**STIPULATION FOR ENTRY OF JUDGMENT
AND SETTLEMENT AGREEMENT/ORDER
9/10/04**

Telephonic Case Management Conference
Complaint to Determine Dischargeability
of Debt U.S.C. §523(a)(2)(A)
Pl - DISCOVER BANK, ISSUER OF THE
DISCOVER CARD

Atty for Pl - JEROME YELSKY

Def: CHRISTINA GARCIA
Closed 10/5/04

28.

DECKER vs. RANKIN, et al
ADV. NO. 04-5239
SAN JOSE SYMPHONY
02-57126-MM (7)

NOTICE OF VOLUNTARY DISMISSAL 9/9/04

Telephonic Case Management Conference
Complaint to Sell Co-Owners Interest
Pursuant to Bankruptcy Code
Section 363(h)
Pl - SUZANNE DECKER, Trustee

Atty for Pl - ELIZABETH BERKE-DREYFUSS

Def's:

MILES RANKIN, individually and as
Trustee of the Marital Exemption Trust
Under the Will of Juliette Rankin
THE MARITAL EXEMPTION TRUST UNDER THE
WILL OF JULIETTE RANKIN, Dated
September 19, 1984
Closed 9/9/04

29.

DECKER vs. SOLUNET, INC.

ADV. NO. 03-5468

ULTRASERV, INC.

01-54741-MM (7)

(fr 11/25, 2/10, 4/6)

Telephonic Case Management Conference

Complaint to Avoid Preferential

Transfer and Disallow Claims

Pl - SUZANNE L. DECKER, Trustee

Atty for Pl - VALERY LOUMBER

STIPULATION FOR DISMISSAL 9/10/04

Atty for Def - MORTON BRANZBURG

Co-Counsel for Def - ANNA ENDTER

Def: SOLUNET, INC.

answer filed 9/29/03

***CLOSED 9/13/04**

MM

10/26/04 AT 10:30 A.M.

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